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**UNITED STATES DEPARTMENT OF COMMERCE**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/312,823    05/17/99    TAGUCHI

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005514    TM02/0523  
FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK NY 10112

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EXAMINER
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PEYTON, T

ART UNIT	PAPER NUMBER
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2182

DATE MAILED:

15

05/23/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

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# Office Action Summary

Application No.  
09/312,823

Applicant  
TAGUCHI

Examiner  
Tammara Peyton

Art Unit  
2182



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04/26/01 and 03/13/01
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 9, 28, and 150-229 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9, 28, and 150-229 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☒ Certified copies of the priority documents have been received in Application No. 08/307,494.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 14 20) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. The Office Action is in response to RCE filed on 04/46/01 and Amendment D, filed on 03/13/01. Claims 9, 28, and 150-229 are pending for application number 09/312,823 .

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9, 28, and 150-229 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Mackey*, patent number 4,815,034.

4. As per claims 9, 150, 170, 190, and 210, teaches of a storage medium [ROM, 30, Fig. 1] readable by an information processing apparatus [inherent in computer ,10], said storage medium storing a program and program steps for controlling the operation of the information processing apparatus, the program instructing the information processing apparatus to perform:

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a connector for connecting a detachable external device [I/O units: a digital cassette recorder, keyboard, etc.] to said apparatus information processing apparatus, wherein the detachable external device is denoted as a connected detachable external device when connected to said information processing apparatus by said connector [col. 5, lines 65- col. 6, lines 1-3]; and

a central processing unit [inherent] comprising:

recognition means [inherent] for recognizing connection of the connected detachable external device to said information processing apparatus by said connector and recognizing a device type of the connected detachable external device [from the data received from the connected external device]; and

read means, responsive to said recognition means recognizing connection of the connected detachable external device to said information processing apparatus and the device type, for reading a device driver for controlling the detachable external device either from the connected detachable external device through said connector or from a memory area provided in said information processing apparatus;

wherein said read means executes a program for loading the device driver for the connected detachable external device connected by said connector. [Note Abstract, col. 2, lines 9- col. 11]

5. As per claims 28, 159, 179, and 219, it would have been obvious that *Mackey's* system makes a determination whether a device driver for the connected external device is to be read

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from the connected external device and reading the device driver in accordance with the determination.

6. As per claims 151, 155, 162, 166, 171, 175, 182, 186, 191, 195, 202, 206, 211, 215, 222, and 226, it would have been obvious to one of ordinary skill that *Mackey* teaches that the loaded device driver comprises the knowledge/controlling step for controlling the connected external devices.

7. As per claims 152, 163, 172, 183, 192, 203, 212, and 223, *Mackey* teaches wherein said recognition means recognizes the connected device upon supplying power to said apparatus.

8. As per claims 153, 154, 164, 165, 173, 174, 184, 185, 193, 194, 204, 205, 213, 214, 224, and 225, *Mackey* discloses that the connected external device comprises either a random access memory (RAM) card and read only memory (ROM) card and recognizes the device type of the connected external device based on data stored in the connected external device.

9. As per claims 156, 157, 167, 168, 176, 177, 187, 188, 196, 197, 207, 208, 216, 217, 227, and 228, official notice is taken that the apparatus comprises a notebook personal computer, an electronic pocket book, or an electronic camera, because the specific apparatus taught by *Mackey* does not depend upon the specific device it is comprised of. Further, the apparatus claimed by

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applicant could be incorporated in *Mackey's* system and not depart from its inventive concept.

10. As per claims 158, 169, 178, 189, 198, 209, 218, and 229, *Mackey* teaches the step of storing the device driver read by said reading step in memory.

11. As per claims 160, 161, 180, 181, 200, 201, 220, and 221, *Mackey* teaches wherein said recognition means recognizes whether the device type is a first type or a second type. It would have been obvious that the method utilized by applicant is a design choice therefore the same design choice could be implemented, with little programming effort, into *Mackey's* system, and not depart from its inventive concept.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (703) 306-5508. The examiner can normally be reached between 8:00 - 4:30 from Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee, can be reached on (703) 305-9717. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

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Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for formal communications intended for entry should be sent to:

(703) 308-9051,

or, for informal or draft communications, to:


(703) 306-5404 (please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to:

Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Tammara Peyton

May 21, 2001

  
THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100